

**D H E C**  
PROMOTE PROTECT PROSPER  
Ocean and Coastal  
Resource Management

**State and Coastal Laws and Regulations**  
**SC LLR Course No. CEC274001**

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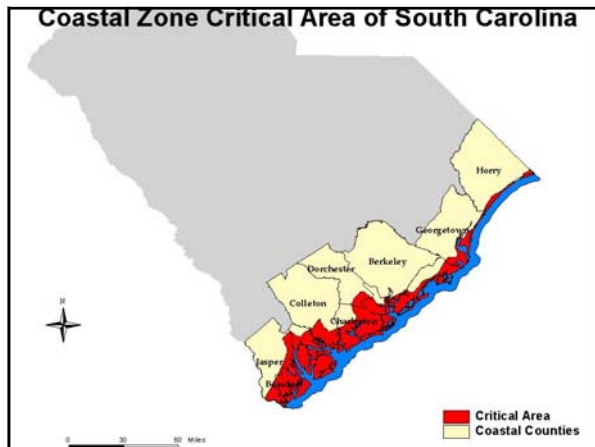
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**The Beachfront Management Act**

- Establishes two lines of jurisdiction, the baseline and the setback line
- Establishes long-term erosion rates, measured in feet per year
- Line positions and erosion rates are updated every 8-10 years: 2008-2010 is next window
- Establishes disclosure requirement

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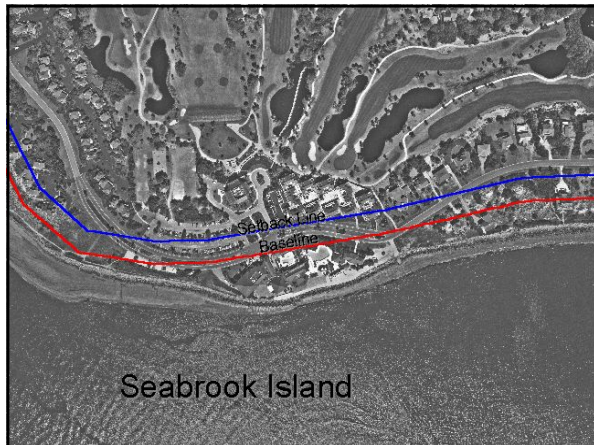
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**Real Estate Disclosure Statement**

- Section 48-39-330.** Thirty days after the initial adoption by the Department of setback lines, a contract of sale or transfer of real property located in whole or in part seaward of the setback line or the jurisdictional line must contain a disclosure statement that the property is or may be affected by the setback line, baseline, and the seaward corners of all habitable structures referenced to the South Carolina State Plane Coordinate System and include the local erosion rate most recently made available by the Department for that particular standard zone or inlet zone as applicable. Language reasonably calculated to call attention to the existence of baselines, setback lines, jurisdictional lines, and the seaward corners of all habitable structures and the erosion rate complies with this section. The provisions of this section are regulatory in nature and do not affect the legality of an instrument violating the provisions.

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### Meeting Disclosure Requirement

On A Plat of the Property:

- Show property lines and building footprint
- Show baseline and setback line
- State distance from building to lines
- State long-term erosion rate
- Give the date this information was made available by OCRM

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### BMA Summary

- No new seawalls or revetments
- Existing walls can't be rebuilt if destroyed
- New house construction as far landward as possible, limited to 5,000 sf heated space
- Additions to a house must be landward or upward from the existing structure
- No new pools seaward of the baseline

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### Planned Unit Development Exemption

In a PUD approved prior to 1988:

- A house or pool on a vacant lot can be located anywhere landward of the baseline
- A house or pool built prior to 1988 that is destroyed can be rebuilt anywhere landward of the baseline
- A house or pool built after 1988 that is destroyed cannot be rebuilt any farther seaward than the original structure

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## Folly Beach Exemption

- OCRM has limited jurisdiction
- Baseline is located along the crest of the seawalls and revetments
- No setback line
- Existing seawalls can be rebuilt even if destroyed

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